

Remarks

The Office Action dated September 19, 2008 lists the following rejections: claims 1-3, 5-7 and 9-12 stand rejected under 35 U.S.C. § 103(a) over He (U.S. Patent No. 6,323,849) in view of Duwaer reference (U.S. Patent No. 4,922,240); and claims 4, 8 and 13-14 stand rejected under 35 U.S.C. §103(a) over the '849 and '240 references and in further view of Sarrasin reference (U.S. Patent No. 5,600,343). In the discussion set forth below, Applicant does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

Applicant respectfully traverses the rejections under 35 U.S.C. § 103(a), which are improper for failing to show correspondence to each limitation, for rendering the device unsatisfactory for its intended purpose and for failing to present a logical reason for the combination. As Applicant previously explained, the modifications would render the primary circuit unsuitable for the primary purpose of operation. The Advisory Action attempts to rebut Applicant's arguments with an explanation that the shift register controls the partial mode. In presenting this explanation, however, the Advisory Action presents a combination that fails to correspond to each limitation and/or that has no support in the record. None of the references suggest that the elements "61-63 having h logic," would be used for a partial mode. The only suggestion in the record for the claimed logic functions is found in Applicant's Specification. For instance, the elements 61-63 do not receive the identified control signal (reset line 113 or Vblank) and are not dependent upon the partial mode. A stated purpose of the He reference, however, is to reduce power consumption by using the reset line 113 to reset the shift registers of the row driver 140 before the full display is turned on (*i.e.*, by clearing the shift registers of data after only one-eighth or one-fourth of the lines in the display have been activated). *See, e.g.*, the Abstract and Col. 3:27-47. As previously explained, the Examiner's proposed modification would result in the reset line 113 no longer being used to reset the shift registers of the row driver 140, thus, undermining He's purpose of reducing power consumption by resetting the shift registers after only part of the display has been activated.

Applicant maintains that there is no reason to perform the alleged modification. This approach is contrary to the requirements of § 103 and relevant law. *See, e.g.*, *KSR*

Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, 1741 (U.S. 2007) (“A patent composed of several elements is not proved obvious merely by demonstrating that each element was, independently, known in the prior art.”). The Advisory Action recites a conclusion that the proposed modification “would have an improved driving circuitry for accurate data transmission,” however, this is a statement regarding the teachings of Duwaer and is not taught to be obtained by simply through the use of elements 61-63. Applicant fails to see how such improvement would result from the proposed modification, and the cited portion of Duwaer (Col. 3:67 to Col. 4:10) fails to establish a nexus between the proposed modification and the alleged gain because it is unclear how the addition of elements 61-63 would not provide the stated improvement. Applicant therefore submits that the skilled artisan would not seek to introduce the elements 61-63 as suggested by the Examiner.

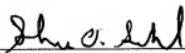
Moreover, He already provides a control circuit that controls both the row and the column drivers, and that can be used to turn off unused portions of the display when in a partial display mode. *See, e.g.*, the Abstract and Col. 3:27-47. One of skill in the art would not seek to add additional logic circuitry to the device of He when the functionality allegedly sought to be added is already present. Such a redundancy contradicts the reasons proffered by the Examiner for making the combination, namely to produce a system with a more compact size. Thus, Applicant submits that the Examiner’s reasoning attempts to modify He to address a problem that is already addressed by He. The requirement for providing a sufficient reason to combine references has been explained in specific examples through USPTO Board decisions and, in one such decision, the USPTO Board has opined that there is no proper motivation to combine where the alleged purpose for combining is to address a problem that the prior art has already addressed. *See, e.g.*, www.iptoday.com/articles/2007-09-nowotarski.asp, which discusses numerous Board decisions in which Examiners’ rejections were overturned, in view of *KSR*, due to lack of a sufficient reason to combine. Thus, as explained in such recent decisions, it is improper to combine references without any real motivation such as here, where a nonexistent problem is being addressed by the Examiner. Accordingly, the § 103(a) rejections of claims 1-14 are improper and Applicant requests that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Aaron Waxler, of NXP Corporation at (408) 474-9063 (or the undersigned).

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